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Letter dated 5 June 1992 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General

On behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to draw your attention to the fact that 5 June 1992 marks the twenty-fifth anniversary of the beginning of the Israeli occupation of the Palestinian territory of the West Bank, the Gaza Strip and East Jerusalem. That occupation, maintained by increasingly repressive policies and practices, continues to this day in violation of international law and Security Council resolutions and in total disregard of international efforts to achieve a just and peaceful settlement of the conflict. Israel's intransigence and its obstinate refusal to recognize Palestinian national rights, in particular the right to self-determination, have so far presented an insurmountable obstacle to such efforts.

The Palestinian people have paid dearly for the occupation with loss of life, loss of land and natural resources, and severe restrictions on their political, civil, economic, social and cultural rights. The Israeli military operations of 1967 were accompanied by systematic and deliberate destruction of Palestinian villages and homes and the renewed dispersal of Palestinians. Almost half a million Palestinians were displaced and one third of them became refugees for the second time since 1948. The Israeli authorities have continued to deny Palestinians their fundamental right to return and to refuse to allow the reunification of families, and have rounded up and deported women and children considered to be living "illegally" with their immediate families in the occupied territory.

Shortly after the war, Israel annexed Jerusalem over the unanimous opposition of the international community, and began the confiscation of Palestinian land and the building of settlements in a process of gradual de facto annexation which continues at an ever accelerating pace. Over 60 per cent of the West Bank and Gaza has already been confiscated under various pretexts sanctioned by military orders. Some 230,000 Israeli citizens have been moved permanently to about 212 settlements throughout the occupied Palestinian territory, including Jerusalem and an increase of 25 per cent has taken place in the past year alone. Israeli Government leaders have repeatedly voiced their intention to remain in perpetual control of the occupied territory, which they have declared to be a part of "Greater Israel". Prime Minister Yitzhak Shamir stated recently that in a few years, "hundreds of thousands of Jews will be living [in the occupied territory] ... and the notion of territorial compromise will fade away like a bad dream." (quoted in The Jerusalem Post, 4 May 1992). This policy of Israel is in clear violation of article 49 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, which the Security Council has declared to be applicable de jure to all the territories occupied by Israel since 1967.

Through this illegal process of colonization, Palestinian towns, villages and agricultural areas are being increasingly encircled, their development restricted, and the unity of the Palestinian homeland is being shattered. Regional land-use and road plans have been devised and implemented to serve the Israeli settlements and to tie them more closely to Israel, bypassing Palestinian towns and villages.

Israel has also appropriated and controls Palestinian water resources and drastically restricts Palestinian use of water for farming and other needs. Discriminatory taxation and other administrative measures stifle the economic development of the occupied territory and make it more dependent on the economy of the occupying Power, Israel.

Moreover, a dual legal system has been established which extends the protection of Israeli civilian law to the Jewish settlers while imposing a separate harsh and discriminatory military law on the Palestinians. Every aspect of Palestinian life is controlled by the military authorities through some 2,000 military orders enacted during the twenty-five years of occupation. The Israeli authorities have also invoked emergency powers to restrict and deny civil and political liberties. Elected municipal councils were dissolved and mayors were expelled or detained and replaced by military governors; organizations have been banned and their officials arrested; trade unions harassed; the Arabic press censored. The Palestinian educational system has been subjected to systematic controls and direct interference in its contents and operation. Through the political screening and dismissal of teachers, censorship of textbooks, expulsion of students and other severe measures, the occupation authorities have sought to suppress any teaching of Palestinian history, culture and politics, and any expression of Palestinian nationalism. Moreover, Palestinian education has suffered due to consistent underfunding and lack of proper facilities.

Since the beginning of the intifadah in December 1987, the repression and oppression of the Palestinian civilian population has increased and continues. Human rights organizations have reported that from December 1987 through March 1992, at least 1,032 Palestinians were killed, most of them by shooting, and over 121,000 were injured by Israeli forces. They have also reported that open-fire regulations for Israeli soldiers have been increasingly relaxed and that undercover units of the army have engaged in killings of Palestinian activists. Studies of conditions in the prisons have documented ill-treatment and torture in Israeli prisons, and the death of at least 10 Palestinians during interrogation since 1987. During the same period, over 15,000 Palestinians were placed under administrative detention for periods of up to six months without charges or trial. Moreover, 66 Palestinians were expelled for "security reasons" (more than 1,300 since June 1967). Towns and villages in the occupied Palestinian territory experienced a combined total of over 11,000 days of curfew, the demolition or sealing of over 2,100 homes, and the uprooting of over 130,000 trees.

The additional damage to the fabric and well-being of Palestinian society resulting from arbitrary mass arrests, prolonged school closings, disruption of the health care system, raids by troops and attacks by armed settlers, denial of freedom of movement, loss of employment opportunities in Israel and the like, are too great to assess in this brief communication. The plight of the Palestinian people under Israeli occupation has been further compounded by the repeated actions which the occupying forces have taken against the personnel of UNRWA engaged in the discharge of the mandate to provide humanitarian assistance to the Palestinian people under occupation.

Israel's determination to maintain the occupation has resulted in a consistent pattern of gross violations of the human rights of Palestinians in contravention of Israel's international obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, as well as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, all of which Israel ratified in 1991. The Committee on the Exercise of the Inalienable Rights of the Palestinian People calls once again on all concerned, and in particular the High Contracting Parties to the Geneva Convention and the supervisory bodies of the human rights treaties, to take all measures in their power to ensure that Israel abide by its obligations as stipulated in those instruments.

It is evident, however, that measures to provide protection to the Palestinians and to restore respect for human rights in and by themselves will not lead to a just and universally accepted solution of the question of Palestine unless they are accompanied by effective action by the international community as a whole, and the Security Council in particular, to ensure that Israel withdraw from the Palestinian and other Arab territories occupied during the 1967 war, in conformity with Security Council resolution 242 (1967)

and the fundamental principle of the inadmissibility of the acquisition of territory by force.

In its first report, submitted to the Security Council and the General Assembly in 1976, the Committee recommended inter alia that the Security Council should establish a timetable for the complete withdrawal by Israeli occupation forces from those territories. The General Assembly has endorsed the Committee's recommendations every year since then and has repeatedly called on Israel to withdraw completely and unconditionally. The Assembly has also requested the Security Council, in the event of non-compliance by Israel, to consider the situation and adopt effective measures taking into account all the powers conferred upon it by the United Nations Charter.

On this twenty-fifth anniversary of the Israeli occupation of Palestinian territory, including Jerusalem, the Committee on the Exercise of the Inalienable Rights of the Palestinian People wishes to draw once again the attention of the Security Council and the General Assembly to the fact that their decisions remain unimplemented and to express its extreme concern at the ongoing efforts by Israel to turn the occupation into a permanent fact. Such a development would not only be a grave injustice to the Palestinian people and a denial of its fundamental rights, it would also continue to cause persistent tension and conflict in the region, and threaten the credibility of the United Nations at a time of historic importance for its efforts to create a better and more just and peaceful world for all. The international community has a duty and a responsibility to ensure that this unacceptable situation is brought to an end.

I would appreciate it if this letter could be circulated as a document of the General Assembly under agenda item 33 of the forty-sixth session, and of the Security Council.

Accept, Mr. Secretary-General, the assurances of my highest consideration.

(Signed) Kéba Birane CISSE
Chairman
Committee on the Exercise
of the Inalienable Rights
of the Palestinian People